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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,726	11/20/2003	William R. Hancock	H0005279	8710

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EXAMINER

RICHER, AARON M

ART UNIT	PAPER NUMBER
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2628

MAIL DATE	DELIVERY MODE
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10/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/717,726

Applicant(s)

HANCOCK ET AL.

Examiner

Aaron M. Richer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-20 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 16 and 18 is/are rejected.
- 7) ☒ Claim(s) 1,4-15,17 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claim 16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claims 1, 4-15, and 22 are objected to because of the following informalities:
The limitation "storing the first background color in the A buffer background color column when displaying the second background color in the B buffer background color column, and displaying the first background color in the A buffer background when storing the second background color in the B buffer background color column" should have the words "color column" inserted between "A buffer background" and "when storing". This limitation appears in claims 1, 7, 12, and 22. Claims 17 and 19 state the limitation correctly. As the omission of these two words seems to be a minor typographical error, the claims are simply objected to rather than rejected. However, appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

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the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa (U.S. Patent 5,757,364) in view of Dawson (U.S. Patent 6,771,274).

6. As to claim 16, Ozawa discloses a method of rendering an image, the method comprising performing the following operations in a hardware logic that is separate from a rendering engine that renders at least one foreground pixel for a window in the image, wherein the following operations are performed after the at least one foreground pixel is rendered (fig. 1, element 304; the background color is not merged until the foreground pixels of the window have been generated in fig. 1, element 102):

retrieving the at least one foreground pixel from a frame buffer (fig. 3, element 303 includes buffers for the foreground pixels);

Ozawa does not disclose blending color data of a video with the at least one foreground pixel, upon determining that the video is in the background at a location of the foreground pixel, nor does Ozawa disclose blending a background pixel with the at least one foreground pixel, upon determining that the video is not in the background at the location of the foreground pixel. Dawson, however, discloses both of these steps (fig. 2, element 34; col. 4, lines 5-25 and fig. 2, element 30; col. 4, lines 37-58). Dawson

further discloses a method wherein only one of the color data of the video and the background pixel is blended with the at least one foreground pixel. Since alpha can be set from 0-255 (col. 1, lines 44-49), setting alpha to 255 (i.e. 1 in this system) for the graphics overlay would result in only video data being blended with a foreground pixel (see figure 5), with the background completely obscured. Similarly, setting the video parameter in RGBAV to 1 would result in the video not being blended with the foreground and background data. The motivation for performing such blending steps is to create the effect of partial transparency, such as the effect that takes place when one looks through a car windshield and also allow no video blending in some areas (col. 1, lines 34-44). It would have been obvious to one skilled in the art to modify Ozawa to blend background color or video and foreground in order to create the effect of partial transparency as taught by Dawson.

7. As to claim 18, Dawson discloses multiplying an alpha intensity value of the at least one foreground pixel with a value of the background pixel and adding a value of the foreground pixel with the value of the background pixel (fig. 5, elements 220, 230, and 250).

Conclusion

8. Claims 19 and 20 are allowed.

9. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Richer whose telephone number is (571) 272-7790. The examiner can normally be reached on weekdays from 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AMR
1/18/07



KEE M. TUNG
SUPERVISORY PATENT EXAMINER